

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHSHORE SHEET METAL, INC.,

Plaintiff,

v.

SHEET METAL WORKERS
INTERNATIONAL ASSOCIATION,
LOCAL 66,

Defendant.

Case No. 2:15-cv-01349 MJP

DECLARATION OF JEFF MEYER

I, JEFF MEYER, declare as follows:

1. I am one of the owners of Northshore Sheet Metal, Inc. ("Northshore") and it's Co-President. My day-to-day duties involve overseeing the Company's operations, and managing and procuring contracts.

2. Northshore is in the construction industry, primarily within the State of Washington. Northshore installs architectural sheet metal and siding products at commercial job sites. Northshore also manufactures a variety of sheet metal products and cement board and other siding products for itself, as well as other contractors. Northshore performs work at multiple job sites at any given time.

1 Northshore Sheet Metal has specialized in Architectural Sheet Metal for over 25 years.
2 Northshore installs and manufactures a wide variety of flashing, rain-screen siding products
3 and architectural panels of virtually any type, shape, and finish. Northshore performs this
4 work under its trademark Northclad (U.S.P.T.O. Serial Number 77638744;
5 http://tsdr.uspto.gov/#caseNumber=77638744&caseType=SERIAL_NO&searchType=status
6 [Search](#)).

7 3. For Northshore, our bid process works as follows. The bid is the process of
8 submitting a proposal to the general contractor to undertake work on a construction process.
9 We have submitted construction bids to GLY Construction, Mortensen Construction, and
10 Lease Crutcher Lewis. We will bid on a part of the project. The bid is based upon the
11 expected scope of the project and materials. The bid process is not an exact science and is
12 highly confidential between sheet metal contractors. A review of Northshore's bid will
13 show the price, and it will show the scope of what work is bid upon. A competitor that
14 knows how Northshore bids certain projects can undercut Northshore's bid on future
15 projects. This information, along with the contract pricing, can be highly proprietary.
16 Northshore only bids projects to customers it can trust will not share their bidding practices or
17 pricing information with Northshore's competitors.

18 4. In creating a bid and working on a project, may provide the general
19 contractor with technical proprietary information that is related to the type of work that is
20 bid upon.

21 5. The Sheet Metal Workers International Union, Local 66, represents many of
22 Northshore's competitors (http://www.smw66.org/CS_viewContractors/Category_ID/27/). I
23 have also been told that Local 66 has expressed to its members a desire to do whatever it can
24

1 to punish Northshore, and that includes diverting business to Northshore's competitors.

2 6. The disclosure of the construction bid pricing, business and marketing
3 strategies, customer lists to Northshore's competitors cause permanent extreme prejudice to
4 Northshore's business.

5 I have read the foregoing statements and declare under penalty of perjury under the
6 laws of the State of Washington and the United States that the foregoing statements are true
7 and correct.

8 DATED at Indio, California, ~~Washington~~ this 30th day of December, 2015.

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10 
11 _____
Jeffrey D. Meyer